

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

JOSE M. ROSADO LARA

OLGA L. FERNANDEZ VAZQUEZ

DEBTOR(S)

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CASE NO. 10-02679-ESL

CHAPTER 13

MOTION AND NOTICE OF FILING OF POST-CONFIRMATION
MODIFICATION OF CHAPTER 13 PLAN, 11 USC SECTION 1329

TO THE HONORABLE COURT:

NOW COME, JOSE M. ROSADO LARA and OLGA L. FERNANDEZ VAZQUEZ, through the undersigned attorney, and very respectfully states and prays as follows:

1. The debtors are hereby submitting a Post-confirmation Modification of Chapter 13 Plan, dated September 20, 2011, herewith and attached to this motion.

2. This Post-confirmation Modification of Chapter 13 Plan is filed to participate in the Home Affordable Modification Program and to provide for the payment made by the Trustee to Banco Santander.

NOTICE

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.

I CERTIFY that on this same date a copy of this notice was sent by the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtors, Jose M. Rosado Lara and Olga L. Fernandez Vazquez; and to all creditors and parties in interest, in the present case.

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RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 20th day of September, 2011.

/s/ Roberto Figueroa Carrasquillo
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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. **10-02679-13**

ROSADO LARA, JOSE MANUEL & FERNANDEZ VAZQUEZ, OLGA LYDIA

Chapter **13**

Debtor(s)

CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: **9/20/2011**

☐ PRE ☒ POST-CONFIRMATION

☐ AMENDED PLAN DATED: _____

Filed by: ☐ Debtor ☐ Trustee ☐ Other

I. PAYMENT PLAN SCHEDULE

\$ **150.00** x **1** = \$ **150.00**
\$ **250.00** x **59** = \$ **14,750.00**
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____
\$ _____ x _____ = \$ _____

TOTAL: \$ **14,900.00**

Additional Payments:

\$ _____ to be paid as a LUMP SUM
within _____ with proceeds to come from:

☐ Sale of Property identified as follows:

☐ Other:

Periodic Payments to be made other than, and in
addition to the above:

\$ _____ x _____ = \$ _____

PROPOSED BASE: \$ **14,900.00**

III. ATTORNEY'S FEES
(Treated as § 507 Priorities)

Outstanding balance as per Rule 2016(b) Fee
Disclosure Statement: \$ **3,000.00**

Signed: **/s/ JOSE MANUEL ROSADO LARA**
Debtor

/s/ OLGA LYDIA FERNANDEZ VAZQUEZ
Joint Debtor

II. DISBURSEMENT SCHEDULE

A. ADEQUATE PROTECTION PAYMENTS OR \$ _____

B. SECURED CLAIMS:

☐ Debtor represents no secured claims.

☒ Creditors having secured claims will retain their liens and shall be paid as follows:

1. ☒ Trustee pays secured ARREARS:

Cr. **BANCO SANTANDEI** Cr. _____
8570009831754 # _____
\$ **599.50** \$ _____

2. ☐ Trustee pays IN FULL Secured Claims:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

3. ☐ Trustee pays VALUE OF COLLATERAL:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

4. ☐ Debtor SURRENDERS COLLATERAL to Lien Holder:

5. ☐ Other:

6. ☒ Debtor otherwise maintains regular payments directly to:

BANCO SANTANDEI

C. PRIORITIES: The Trustee shall pay priorities in accordance with the law.
11 U.S.C. § 507 and § 1322(a)(2)

D. UNSECURED CLAIMS: Plan ☐ Classifies ☒ Does not Classify Claims.

1. (a) Class A: ☐ Co-debtor Claims / ☐ Other:

☐ Paid 100% / ☐ Other:

Cr. _____ Cr. _____ Cr. _____
_____ # _____ # _____
\$ _____ \$ _____ \$ _____

2. Unsecured Claims otherwise receive PRO-RATA disbursements.

OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.)

The Debtors consent to the modification of the automatic stay in favor of Banco Santander for Loss Mitigation purposes only. The Trustee paid to Banco Santander the amount of \$599.50, the post-petition mortgage arrears will be included in the loan modification with Banco Santander. Late filed claims filed by creditors will receive no distribution.

"Surrenders collateral": Shares/savings in any

Cooperativa/Association/Bank.

Debtor reserves the right to object claims after plan confirmation.

Attorney for Debtor **R. Figueroa Carrasquillo Law Office**

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